

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

AUG 08 2003

TECH CENTER 1600/2900

Applicant: Chen, James

Serial No.: 09/760,362

Customer No. 24961

Confirmation No.: 1582

Filed: January 12, 2001

For: *Novel Treatment For Eye Disease*

Art Unit: 1644

Examiner: Huynh, P.N.

TRANSMITTAL LETTER

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

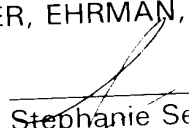
Sir:

Transmitted herewith via hand delivery are a Supplemental Information Disclosure Statement, Form PTO-1449 (3 pages), the cited references, and a check for \$180 for filing in connection with the above-identified application.

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:


Stephanie Seidman
Registration No. 33,779

Date July 30, 2003

Attorney Docket No.: 25886-0062

Address all correspondence to:

Stephanie L. Seidman, Esq.

HELLER, EHRMAN, WHITE & McAULIFFE

4350 La Jolla Village Drive, 7th Floor

EMAIL: sseidman@hewm.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chen, James

Serial No.: 09/760,362

Customer No. 24961

Confirmation No.:1582

Filed: January 12, 2001

For: *Novel Treatment For Eye
Disease*

Art Unit: 1644

Examiner: Huynh, P.N.

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT IN
ACCORDANCE WITH 37 C.F.R. §§ 1.97-1.98**

U.S. Patent and Trademark Office
Commissioner for Patents
P.O. Box 1450
Alexandria Va 22313-1450

Dear Sir:

Because this Supplemental Information Disclosure Statement is filed after receipt of a First Office Action on the merits for the above-captioned application, the filing fee of \$180 is enclosed. If no proper payment is enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

In accordance with the duty of disclosure imposed by 37 C.F.R. §1.56 to inform the Patent Office of all references known by Applicant or Applicant's representative that may be material to the examination of the subject application, Applicant's representative hereby provides this Supplemental Information

37 C.F.R. §§ 1.97-1.98

U.S.S.N. 09/760,362

Chen

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

The documents cited on the Forms PTO-1449 and supplied herewith are in the English language with the exception of Item AJ. Item AJ (International PCT Publication No. WO0052793), which is in the German language, is supplied with an English language equivalent (Item E). Hence, in accordance with the requirements of 37 C.F.R. §1.98, as amended effective March 16, 1992, no further explanation of the listed items is necessary.

Applicant also makes known to the Office the following U.S. and international applications, which are commonly owned and/or have one or more inventors in common with the instant application.

U.S.S.N.	Filing Date	Publication No. or Issue No.	Publication or Issue Date	Docket No.
10/384,895	03/07/03			0044RI
10/385,378	03/07/03			0044BRI
09/592,150	06/12/00			0049
09/801,163	03/07/01			0050
10/351,730	01/23/03			0052
10/211,784	08/01/02	2002-0198576	12/26/02	0054C
09/271,575	03/18/99	6,602,274	08/05/03	0055
09/905,501	07/13/01	2002-0087205	07/04/02	0055B
10/317,269	12/10/02	2003-0109813	06/12/03	0055C
10/410,700	04/08/03			0055D
09/905,777	07/13/01	2002-0127230	09/12/02	0057
09/905,405	07/13/01	2003-0018371	01/23/03	0060
09/386,692	08/31/99	2003-0114434	06/19/03	0061
10/091,144	03/04/02			0066B

U.S.S.N. 09/760,362

Chen

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Unassigned	07/02/03			0095
09/150,821	09/11/98			CHEN0079
09/910,364	07/20/01			CHEN0078
09/644,253	08/22/00			CHEN0132
10/021,891	12/12/01			CHEN0145

Int'l App. No.	Filing Date	Publication No.	Publication Date	Docket No.
PCT/US03/02303	01/23/03			0052PC
Unassigned	06/27/03			0094PC
Unassigned	07/02/03			0095PC
PCT/US02/28149	11/25/02			CHEN0187

Although these documents are made known to the Patent and Trademark Office in compliance with Applicant's duty of disclosure, such disclosure is not to be construed as an admission by Applicant or Applicant's representative that any of the references, singly or in any combination thereof, is effective as prior art against the subject application. In accordance with 37 C.F.R. §1.97(h), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(b) exists.

U.S.S.N. 09/760,362

Chen

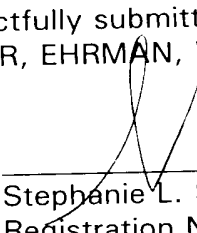
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Applicant respectfully requests that the Examiner review the foregoing references and information and that they be made of record in the file history of the above-captioned application.

* * *

Respectfully submitted,
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:


Stephanie L. Seidman
Registration No. 33,779

Date: July 30, 2003

Attorney Docket No. 25886-0062

Address all correspondence to:

Stephanie L. Seidman, Esq.

HELLER, EHRMAN, WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 7th Floor

San Diego, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com

FORM PTO-1449	ATTY. DOCKET NO. 25886-0062	SERIAL NO. 09/760,362	CONFIRM. NO. 1582	
	LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT		APPLICANT Chen, James	CUSTOMER NO. 24961
			FILING DATE January 12, 2001	GROUP 1644

* If an asterisk is placed beside the reference number, a copy is NOT provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. § 1.98(d).

+ Derwent English language abstract and/or English translation provided.

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
	A	0	0	1	0	5	0	0	01/24/02	Chen	607	89	06/24/98
	B	0	0	1	8	3	7	1	01/23/03	Chen	607	88	07/13/01
	C	0	0	4	4	6	2	3	11/22/01	Chen	606	2	07/20/01
	D	0	0	4	9	5	0	2	12/06/01	Chen	604	167.06	11/25/98
	E	0	0	8	8	9	8	0	07/11/02	Wipiejewski	257	79	08/27/01
	F	0	1	2	7	2	2	4	09/12/02	Chen	424	130.1	03/04/02
	G	0	1	2	7	2	3	0	09/12/02	Chen	424	178.1	07/13/01
	H	0	1	9	8	5	7	6	12/26/02	Chen	607	88	12/26/02
	I	3	8	1	7	8	3	7	06/18/74	Rubinstein <i>et al.</i>	195	103.5	11/06/72
	J	4	3	7	4	9	2	5	02/22/83	Litman <i>et al.</i>	435	7	02/09/81
	K	4	7	5	3	9	5	8	06/28/88	Weinstein <i>et al.</i>	514	410	06/25/86
	L	4	8	6	1	8	7	6	08/29/89	Kessel	540	145	11/26/86
	M	4	9	6	1	9	2	0	10/09/90	Ward	424	9	05/16/89
	N	5	2	2	2	7	9	5	06/29/93	Hed	362	32	12/26/91
	O	5	5	0	3	6	3	7	04/02/96	Kyricos <i>et al.</i>	607	88	10/28/92
	P	5	5	7	6	0	1	3	11/19/96	Williams <i>et al.</i>	424	423	03/21/95
	Q	5	6	1	6	7	1	9	04/01/97	Davalian <i>et al.</i>	546	334	05/09/95
	R	5	6	1	8	7	3	2	04/08/97	Pease <i>et al.</i>	436	8	05/04/95
	S	5	6	2	4	9	0	9	04/29/97	Rao <i>et al.</i>	514	26	06/06/95
	T	5	7	7	0	6	1	9	06/23/98	Richter <i>et al.</i>	514	410	11/01/95
	U	5	8	5	5	8	6	6	01/05/99	Thorpe <i>et al.</i>	424	1.49	03/02/94
	V	5	9	7	6	5	3	5	11/02/99	Fritzberg <i>et al.</i>	424	182.1	06/06/95
	W	6	0	7	1	9	4	4	06/06/00	Rodgers <i>et al.</i>	514	408	11/12/97

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609.17(a).
line through citation if not in conformance and not considered. Include copy of this form with next
communication to applicant.

Title: **NOVEL TREATMENT FOR EYE DISEASE**

FORM PTO-1449 LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	ATTY. DOCKET NO. 25886-0062	SERIAL NO. 09/760,362	CONFIRM. NO. 1582
	APPLICANT Chen, James		CUSTOMER NO. 24961
	FILING DATE January 12, 2001		GROUP 1644

* If an asterisk is placed beside the reference number, a copy is NOT provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. § 1.98(d).

+ Derwent English language abstract and/or English translation provided.

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	NAME	CLASS	SUB CLASS	FILING DATE
	X	6	2	8	1	6	1	1	08/28/01	Chen <i>et al.</i>	310	171	04/11/00
	Y	6	4	1	6	5	3	1	07/09/02	Chen	607	89	06/24/98
	Z	6	4	5	4	7	8	9	02/18/03	Chen <i>et al.</i>	362	545	06/19/00
	AA	6	5	2	0	6	6	9	02/18/03	Chen <i>et al.</i>	362	545	06/19/00
	AB	6	5	5	4	8	5	3	04/29/03	Chen	607	88	07/20/01
	AC	6	5	8	0	2	2	8	06/17/03	Chen <i>et al.</i>	315	185 R	08/22/00

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation Yes No	
	AD	0	0	1	2	5	3	8	03/09/00	PCT				
	AE	0	0	1	5	2	9	6	03/23/00	PCT				
	AF	0	0	4	1	7	2	5	07/20/00	PCT				
	AG	0	0	4	1	7	2	6	07/20/00	PCT				
	AH	0	0	4	1	7	2	7	07/20/00	PCT				
	AI	0	0	4	1	7	6	8	07/20/00	PCT				
	AJ	0	0	5	2	7	9	3	09/08/00	PCT			X	
	AK	0	1	0	5	3	1	6	01/25/01	PCT				
	AL	0	1	1	5	6	9	4	03/08/01	PCT				
	AM	0	1	4	3	8	2	5	06/21/01	PCT				
	AN	0	1	5	1	0	8	7	07/19/01	PCT				
	AO	0	1	7	8	2	1	6	10/18/01	PCT				
	AP	0	1	7	8	4	5	8	10/18/01	PCT				
	AQ	0	1	9	8	7	0	8	12/27/01	PCT				

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609.01(a).
line through citation if not in conformance and not considered. Include copy of this form with next
communication to applicant.

Title: NOVEL TREATMENT FOR EYE DISEASE

FORM PTO-1449

ATTY. DOCKET NO.
25886-0062SERIAL NO.
09/760,362CONFIRM. NO.
1582LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANT'S INFORMATION DISCLOSURE
STATEMENTAPPLICANT
Chen, JamesCUSTOMER NO.
24961FILING DATE
January 12, 2001GROUP
1644

* If an asterisk is placed beside the reference number, a copy is NOT provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. § 1.98(d).
 + Derwent English language abstract and/or English translation provided.

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	*Ref. Code	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUB CLASS	Translation	
													Yes	No
	AR	0	2	1	7	6	9	0	02/28/02	PCT				
	AS	03	0	5	2	7	9	3	06/26/03	PCT				
	AT	9	4	0	9	8	5	1	05/11/94	PCT				
	AU	9	5	0	5	2	1	4	02/23/95	PCT				
	AV	9	6	3	7	2	5	5	11/28/96	PCT				
	AW	9	7	3	2	5	2	0	09/12/97	PCT				
	AX	9	8	0	4	3	1	7	02/05/98	PCT				
	AY	9	8	0	8	5	6	5	03/05/98	PCT				
	AZ	9	8	1	4	2	4	3	04/09/98	PCT				
	BA	9	8	2	4	5	1	0	06/11/98	PCT				
	BB	9	8	3	2	4	9	2	07/30/98	PCT				
	BC	9	8	3	2	4	9	3	07/30/98	PCT				
	BD	9	8	4	6	1	3	0	10/22/98	PCT				
	BE	9	8	5	0	0	3	4	11/12/98	PCT				
	BF	9	9	1	8	8	7	9	04/22/99	PCT				
	BG	9	9	2	0	3	4	6	04/29/99	PCT				
	BH	9	9	3	9	7	6	9	08/12/99	PCT				
	BI	9	9	6	6	9	8	8	12/29/99	PCT				

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	NONE
--	------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 608. Draw a line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Title: **NOVEL TREATMENT FOR EYE DISEASE**